

Notice of Allowability

Application No.

10/759,044

Examiner

Hargobind S. Sawhney

Applicant(s)

FU, FON HSIUNG

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 1/20/04.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 20 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4/13/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. On April 13, 2005, the examiner contacted the attorney, Mr. Marton J. Rosenberg, to discuss the limitation "a locking base for being locking to a handle of a bicycle" recited in line 10 of independent Claim 1. The recitation, indicated above, required rephrasing for clear understanding. In response, Mr. Rosenberg authorized an Examiner's Amendment requiring rephrasing detailed in Section 2 of this office action. A copy of the interview summary is attached herewith.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Marton J. Rosenberg on April 13, 2005.

Claim 1, line 10, Replace "a locking base for being locking to a handle of a bicycle" with -- a locking base locked to a handle of a bicycle --.

Allowable Subject Matter

3. Claims 1-4 are allowed.

Art Unit: 2875

The prior art of record, including Shimizu (Japanese Patent No.: JP 200038176 A) and Okura et al. (Japanese Patent No.: JP 200025667 A), fails to show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a manual-operation sound and light-emitting device combining:

- a plurality of light emitting diodes (LEDs) positioned in a transparent casing, and the casing and the LEDs rotating with a coil of a power generating device as recited in Claim 1.

The combination of the above-indicated features, a sound-producing device including a stationary magnet surrounded by a rotating coil carrying a plurality of LEDs, makes this disclosure unique.

Shimizu (Japanese Patent No.: JP 200038176 A) and Okura et al. (Japanese Patent No.: JP 200025667 A) each teaches a manually operated sound and light emitting device including a rotating magnet surrounding a stationary coil carrying a plurality of LEDs. Thus, neither combined nor individual teaching of Shimizu (Japanese Patent No.: JP 200038176 A) and Okura et al. (Japanese Patent No.: JP 200025667 A) does not teach a sound and light emitting device including rotating coil carrying LEDs as claimed by the applicant. Additionally, the components and their relative positioning as claimed by the applicant is substantially different than those taught by the prior art. Therefore, prior art of record does not meet the limitations of the independent Claim 1.

Therefore, Claim 1 is allowed over the prior art.

Claims 2-4 are necessarily allowed because of their dependency on the allowed Claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen (U.S. Patent Application Pub. No. US 2004/0075536 A1, Ichimura et al. (Japanese Patent No. 2000108963) and Nagano (U.S. Patent No. 5,307,706)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2875

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
4/13/05


Stephen Husar
Primary Examiner